

TO THE COMMISSIONER FOR PATENTS

| <u>Postcar</u> | Transmitted herewith is <u>Transmittal Letter (in ard Receipt</u> . | duplicate); Communication Regarding Fee Calculation (in duplicate); and | | | |
|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|--|--|--|
| | Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted. | | | | |
| | A verified statement to establish small entity status under 37 CFR §§ 1.9 and 1.27 is enclosed. | | | | |
| | Petition for a month extension of time. | | | | |
| | No additional fee is required. | | | | |
| | Please charge Deposit Account No. 23-1925 (Ecopy of this sheet is enclosed. | BRINKS HOFER GILSON & LIONE) in the amount of \$ A duplicate | | | |
| \boxtimes | A check in the amount of $\$5,148$ is enclosed. | | | | |
| | The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed. | | | | |
| | I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed. | | | | |
| | | Respectfully submitted, | | | |
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| | | Joseph F. Hetz Registration No. 41,070 Attorney for Applicant | | | |
| | S HOFER GILSON & LIONE | , money to represent | | | |
| | OX 10395 .GO, ILLINOIS 60610 | | | | |
| | 321-4200 | | | | |
| first class r | certify that this correspondence is being deposited with the United S is mail, with sufficient postage, in an envelope addressed to: Commit 1450, Alexandria, VA 22313-1450, on <u>January 29, 2004</u> . | | | | |
| Date: | January 29, 2004 Signature: | | | | |
| rev. Dec0 Y:\jfh\1193 | -00 935\11935-3 tl pw re communication regarding fee calculaton.doc | | | | |

United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450

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| Alexandria, | VA 22313-1450 on | January 29, 2004 | |
|-------------|--------------------|------------------|--|
| • | | Date of Deposit | |
| | Joseph F. Hetz - I | Reg. No. 41,070 | |
| | Name of Applic | ant, Assignee or | |
| | Registered R | epresentative | |
| | | d | |
| | Sign | ature | |

Our Case No. 11935-3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| in re: | U.S. Patent No. 6,058,304 to Callaghan et al. |) |
|--------------------|-----------------------------------------------|--------|
| Serial No.: | 08/619,682 |) |
| Issue Date: | May 2, 2000 |)) |
| § 371 Filing Date: | May 23, 1996 |) |
| For: | Data Entry System |) |

COMMUNICATION REGARDING FEE CALCULATION

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

This communication concerns a clerical error in the calculation of the number of claims and related fees presented by multiple dependent claims in Patentee's November 27, 1998 and December 5, 1998 Amendments in regard to the above-referenced patent.

Within the last two months, it was brought to Patentee's attention that there may have been an error in the calculation of claims for payment of fees related thereto. Specifically, in a fee calculation chart in the transmittal letter accompanying a November 27, 1998 Amendment and a December 5, 1998 Amendment, the total claims presented appear to have been mistakenly 00000001 08619682

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totaled, resulting in a miscalculation of fees. It appears that such claims were inadvertently treated as single claims, rather than multiple dependent claims, when the fee owing for consideration was calculated. What Patentee believes upon its review to be the correct number of claims for calculating such fees is set forth in the following chart:

| Amendment date | Claim number used in Amendment | Corrected claim number | Difference |
|-------------------|--------------------------------|------------------------|------------|
| 11/27/1988 | 4 | 286 | 282 |
| 12/5/1998 | 2 | 6 | 4 |
| Total | 286 | | |

In the transmittal letters that accompanied the Amendments, Patentee had requested and authorized the United States Patent and Trademark Office to observe any additional force, associated with the Amendments to Patentee's deposit account in the event additional fees were appropriate. After the recent review of the deposit account's activity history, it does not appear that the Office had charged any additional fees to the account. To date, the Office has not issued any notice of fee deficiency to Patentee.

Accordingly, after concluding its review of this matter, Patentee is herewith enclosing a check for \$5,148 to pay additional total claims fee using the current fee schedule for a large entity (286 additional total claims at a rate of \$18 per additional claim). The Commissioner also is hereby authorized to charge payment of any additional fees or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

If there are any questions concerning this Communication, please contact the undersigned attorney at (312) 321-4719.

Dated: January 29, 2004

Respectfully submitted,

Joseph F. Hetz

Reg. No. 41,070

Attorney for Patentee

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